

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CLINTON HARRY STODDARD,

Plaintiff,

v.

THE USC POLICE,

Defendant.

Case No. [24-cv-08269-JSC](#)

ORDER OF DISMISSAL

Plaintiff, an inmate proceeding without an attorney, filed this civil rights action under 42 U.S.C. § 1983. As explained in the order to show cause dated November 12, 2024:

On November 21, 2024, notices to file a complaint, to pay the filing fee or file a completed application to proceed in forma pauperis, and of assignment to a United States Magistrate Judge were mailed to Plaintiff at the address he provided in his complaint. (ECF Nos. 1-4.) On December 23, 2024, the notices were returned by the postal service because the mail could not be delivered to him at the address he provided. (ECF No. 5.) On December 27, 2024, the order reassigning this case to the undersigned District Judge was mailed to Plaintiff at the same address and returned as undeliverable on January 6, 2025. (ECF Nos. 7,8.) Plaintiff has not provided the Court with his new address.

(ECF No. 9 at 1.) The Court therefore ordered Plaintiff as follows:

On or before February 21, 2025, Plaintiff shall: (1) provide a current valid mailing address and any identification number necessary for him to receive mail; or (2) show cause why this case should not be dismissed without prejudice under Civil Local Rule 3-11. **The failure to do so may result in the dismissal of this case without prejudice.**

(*Id.* (emphasis in original).) The order to show cause was returned by the postal service as undeliverable on January 27, 2025. (ECF No. 10.) Plaintiff has still not provided the Court with his current address or made any contact with the Court.

Pursuant to Northern District Civil Local Rule 3-11:

(a) **Duty to Notify.** An attorney or a party proceeding pro se whose address changes while an action is pending must promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address.

(b) **Dismissal Due to Failure.** The Court may, without prejudice, dismiss a complaint or strike an answer when:

(1) Mail directed to the attorney or pro se party by the Court has been returned to the Court as not deliverable; and

(2) The Court fails to receive within 60 days of this return a written communication from the attorney or pro se party indicating a current address.

Civ. L.R. 3-11; *see also Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) (affirming dismissal without prejudice of pro se prisoner's complaint for failing to notify court of his change of address).

Plaintiff has not provided his current address for mailing as required by Civil Local Rule 3-11(a). Plaintiff has been given the opportunity and time to explain and correct this failure, but he has failed to do so. It has been more than 60 days since Plaintiff's mail was first returned as undeliverable due to his address being incorrect, which provides grounds for dismissal under Civil Local Rule 3-11(b). He has made no contact with the Court to provide a reasonable explanation for this lack of compliance.

Accordingly, pursuant to Civil Local Rule 3-11(b), this case is DISMISSED without prejudice to refiling in a new case in which Plaintiff provides and maintains his correct address.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: April 2, 2025


JACQUILINE SCOTT CORLEY
United States District Judge